

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

UNITED STATES OF AMERICA)
)
) Case No. 1:16-CR-201
v.)
) Counts 1-5: 18 U.S.C. § 875(c)
KYLER GEORGE SCHMITZ,) (Interstate Threatening Communications)
a/k/a "@Chirperson,")
)
<i>Defendant.</i>)
_____)

INDICTMENT

September 2016 Term – at Alexandria, Virginia

COUNTS 1-5
(Interstate Threatening Communications)

THE GRAND JURY CHARGES THAT:

1. On the following occasions in the Eastern District of Virginia, defendant KYLER GEORGE SCHMITZ, also known as "@Chirperson," knowingly transmitted in interstate commerce, that is, by the Internet, the following communications that the defendant subjectively intended as threats to injure the person of another and the content of which contained true threats to injure the person of another, in violation of Title 18, U.S. Code, Section 875(c):

Count	Date	Threat
1	June 14, 2016	"@[U.S. Senator 1] I'm going to shoot you in the head for allowing someone to murder my loved ones. https://t.co/76Lcc6xctj ["
2	June 16, 2016	"@[U.S. Senator 1] I admire how your brains are going to splatter across the room when I shoot you in the face flowers grow in your front yard["
3	June 16, 2016	"@[U.S. Senator 1] I'm going to love killing your brains out of your skull like scrabbled shit fuck you with my buy a gun to kill you someday soon["
4	June 16, 2016	"@[U.S. Senator 1] I am literally going to buy a gun shoot you in the face I watch your brains splat #BangBangByeBitch https://t.co/EAunNbKKZB ["
5	June 16, 2016	"@[U.S. Senator 2] I'm going to shoot you in the face, you will not hurt my people again, I promise #BangBangByeBitch https://t.co/fynXk7Pt5X ["

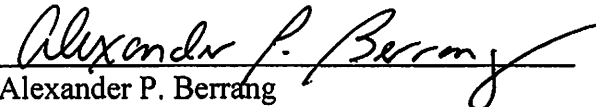
2. Defendant KYLER GEORGE SCHMITZ transmitted the communications described in paragraph 1 of this indictment for the purpose of issuing threats, and with the knowledge that the communications would be viewed as threats.

3. In addition, the communications that defendant KYLER GEORGE SCHMITZ transmitted and described in paragraph 1 of this indictment contained statements that an ordinary, reasonable recipient who is familiar with the context in which the statements were made would interpret as serious expressions of intent to injure the person of another.

A TRIED BILL Government Act,
the original of this page has been filed
under seal in the Clerk's Office. ✓

Foreperson of the Grand Jury

Dana J. Boente
United States Attorney

By: 
Alexander P. Berrang
Assistant United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: 703-299-3700
Email: Alexander.P.Berrang@usdoj.gov

Kellen S. Dwyer
Assistant United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: 703-299-3700
Email: Kellen.Dwyer@usdoj.gov